

AMENDED IN ASSEMBLY MAY 23, 2014

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AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1598

Introduced by Assembly Member Rodriguez

February 4, 2014

An act to amend Section 8588.10 of the Government Code, to amend Sections 1797.116 and 1797.132 of the Health and Safety Code, and to amend Sections 13514.1 and 13519.12 of the Penal Code, relating to emergency response services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1598, as amended, Rodriguez. Emergency response services: active shooter incidents.

(1) Existing law requires the Director of Emergency Services to establish a Curriculum Development Advisory Committee (CDAC) to, among other things, provide advice on the development of terrorism awareness course curricula and response training. Existing law establishes in the Department of Justice the Commission on Peace Officer Standards and Training (CPOST), which is required to, among other things, adopt rules establishing minimum standards relating to physical, mental, and moral fitness that govern the recruitment of peace officers *and requires CPOST to carry out various duties related to the education and training of peace officers.*

This bill would require CDAC to consult with CPOST.

(2) Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, establishes the

Emergency Medical Services Authority (EMSA), which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Under existing law, EMSA is required to establish training standards that include the criteria for the curriculum content recommended by CDAC, involving the responsibilities of first responders to terrorism incidents and to address the training needs of those identified as first responders.

This bill would additionally require that those training standards include criteria for coordinating between different responding entities.

(3) Existing law establishes the Interdepartmental Committee on Emergency Medical Services (ICEMS), which is required to advise EMSA on the coordination and integration of all state activities concerning emergency medical services.

This bill would require ICEMS to consult with CPOST regarding emergency medical services integration and coordination with peace officer training.

(4) Existing law requires CPOST to develop and disseminate guidelines and standardized training recommendations for Special Weapons and Tactics (SWAT) teams, as specified, that would be available for use by law enforcement agencies that conduct SWAT operations. Under existing law, those guidelines are required, at a minimum, to address legal and practical issues of SWAT operations, personnel selection, fitness requirements, planning, hostage negotiation, tactical issues, safety, rescue methods, after-action evaluation of operations, logistical and resource needs, uniform and firearms requirements, risk assessment, policy considerations, and multijurisdictional SWAT operations. Existing law also directs CPOST to establish training standards and develop a course of instruction involving the responsibilities of first responders to terrorism incidents, as specified.

This bill would additionally require those guidelines and training standards to address tactical casualty ~~care and coordination with emergency medical services providers~~ *care*.

The bill would ~~make related~~ *include* legislative findings and declarations, and ~~include~~ *would make* a related statement of legislative intent.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) (1) The Legislature finds and declares that
2 since the Columbine High School shootings that occurred in 1999,
3 more than 250 people have been killed in the United States during
4 what has been classified as active shooter and mass casualty
5 incidents. These incidents involve one or more suspects who
6 participate in an ongoing, random, or systematic shooting spree,
7 demonstrating the intent to harm others with the objective of mass
8 murder.

9 (2) It has become evident that these events may take place in
10 any community or venue and that they impact fire and police
11 departments, regardless of their size or capacity. Local jurisdictions
12 vary widely in available emergency response resources, staffing,
13 and equipment allocations. Protocols and training for response to
14 active shooter incidents must be established locally to work within
15 the resource capabilities and limitations of each jurisdiction.

16 (b) It is therefore the intent of the Legislature to do all of the
17 following:

18 (1) Require the development of collaborative protocols and
19 relationships between local and state first response entities,
20 including law enforcement agencies, fire departments, and
21 emergency medical services providers and agencies, in order that
22 those entities shall act effectively and in concert to address active
23 shooter incidents across California.

24 (2) Require first response entities to seek collaborative training
25 opportunities, including, but not limited to, table top or simulation
26 exercises, to assess plan implementations, and to include other
27 entities that may be involved in active shooter incidents in those
28 trainings, such as schools, city or county personnel, and private
29 businesses.

30 (3) Require basic and ongoing training for law enforcement
31 agency personnel, fire department personnel, emergency medical
32 services personnel, and the personnel for other first responders
33 include, as appropriate, training and education on active shooter
34 ~~incidents, incidents and tactical casualty care, and interagency~~
35 ~~coordination care.~~

36 (c) It is further the intent of the Legislature that each first
37 response entity, in collaboration with other law enforcement
38 agencies, fire departments, and emergency medical services

1 providers and agencies, develop protocols for responding to active
2 shooter incidents. It is the intent of the Legislature that those
3 protocols be reviewed annually to ensure that they are current, and
4 address any policy, geographic, or demographic changes that
5 warrant a response strategy review. The Legislature intends that
6 the protocols address all of the following:

7 (1) The roles, responsibilities, and policies of each entity in
8 responding to an active shooter incident.

9 (2) Preassessment and contingency planning that includes
10 identification of potential targets within the jurisdiction.

11 (3) Implementation of an Incident Command System (ICS),
12 including emergency protocols for a unified command structure
13 for entities responding to an active shooter incident.

14 (4) Interagency communication issues and needs, including, but
15 not limited to, radio interoperability and establishment of common
16 language, terms, and definitions to be used on the scene of an
17 active shooter incident.

18 (5) Identification of resources for responding to an active shooter
19 incident, including, but not limited to, primary and secondary needs
20 and hospitals.

21 (6) Tactical deployment of available resources for responding
22 to an active shooter incident.

23 (7) Emergency treatment and extraction of persons injured in
24 an active shooter incident.

25 SEC. 2. Section 8588.10 of the Government Code is amended
26 to read:

27 8588.10. (a) The director shall establish a Curriculum
28 Development Advisory Committee to advise the office on the
29 development of course curricula, as specified by the director.

30 (b) The committee shall be chaired by the director, who will
31 appoint members as appropriate. In appointing members to the
32 committee, the director shall include representatives from the
33 following:

34 (1) State public safety, health, first responder, and emergency
35 services departments or agencies, as deemed appropriate by the
36 director.

37 (2) Local first responder agencies.

38 (3) Local public safety agencies.

39 (4) Nonprofit organizations, as deemed appropriate by the
40 director.

1 (5) Any other state, local, tribal, or nongovernmental
2 organization determined by the director to be appropriate.

3 (c) The committee shall consult with the Commission on Peace
4 Officer Standards and Training.

5 SEC. 3. Section 1797.116 of the Health and Safety Code is
6 amended to read:

7 1797.116. (a) The authority shall establish additional training
8 standards that include the criteria for the curriculum content
9 recommended by the Curriculum Development Advisory
10 Committee established pursuant to Section 8588.10 of the
11 Government Code, involving the responsibilities of first responders
12 to terrorism incidents and to address the training needs of those
13 identified as first responders. Training standards shall include, but
14 not be limited to, criteria for coordinating between different
15 responding entities.

16 (b) Every EMT I, EMT II, and EMT-P, as defined in Sections
17 1797.80, 1797.82, and 1797.84, may receive the appropriate
18 training described in this section. Pertinent training previously
19 completed by any jurisdiction's EMT I, EMT II, or EMT-P
20 personnel and meeting the training requirements of this section
21 may be submitted to the training program approving authority to
22 assess its content and determine whether it meets the training
23 standards prescribed by the authority.

24 SEC. 4. Section 1797.132 of the Health and Safety Code is
25 amended to read:

26 1797.132. An Interdepartmental Committee on Emergency
27 Medical Services is hereby established. This committee shall advise
28 the authority on the coordination and integration of all state
29 activities concerning emergency medical services. The committee
30 shall include a representative from each of the following state
31 agencies and departments: the Office of Emergency Services, the
32 Department of the California Highway Patrol, the Department of
33 Motor Vehicles, a representative of the administrator of the
34 California Traffic Safety Program as provided by Chapter 5
35 (commencing with Section 2900) of Division 2 of the Vehicle
36 Code, the Medical Board of California, the State Department of
37 Public Health, the Board of Registered Nursing, the State
38 Department of Education, the National Guard, the Office of
39 Statewide Health Planning and Development, the State Fire
40 Marshal, the California Conference of Local Health Officers, the

1 Department of Forestry and Fire Protection, the Chancellor's Office
2 of the California Community Colleges, and the Department of
3 General Services. The committee shall consult with the
4 Commission on Peace Officer Standards and Training regarding
5 emergency medical services integration and coordination with
6 peace officer training.

7 SEC. 5. Section 13514.1 of the Penal Code is amended to read:

8 13514.1. (a) On or before July 1, 2005, the commission shall
9 develop and disseminate guidelines and standardized training
10 recommendations for all law enforcement officers, supervisors,
11 and managers whose agency assigns them to perform, supervise,
12 or manage Special Weapons and Tactics (SWAT) operations. The
13 guidelines and standardized training recommendations shall be
14 available for use by law enforcement agencies that conduct SWAT
15 operations.

16 (b) The training and guidelines shall be developed in
17 consultation with law enforcement officers, the Attorney General's
18 office, supervisors, and managers, SWAT trainers, legal advisers,
19 and others selected by the commission. Development of the training
20 and guidelines shall include consideration of the recommendations
21 contained in the Attorney General's Commission on Special
22 Weapons and Tactics (S.W.A.T.) Final Report of 2002.

23 (c) The standardized training recommendations shall at a
24 minimum include initial training requirements for SWAT
25 operations, refresher or advanced training for experienced SWAT
26 members, and supervision and management of SWAT operations.

27 (d) The guidelines shall at minimum address legal and practical
28 issues of SWAT operations, personnel selection, fitness
29 requirements, planning, hostage negotiation, tactical issues, safety,
30 rescue methods, tactical casualty care, ~~coordination with emergency~~
31 ~~medical services providers~~, after-action evaluation of operations,
32 logistical and resource needs, uniform and firearms requirements,
33 risk assessment, policy considerations, and multijurisdictional
34 SWAT operations.

35 (e) The guidelines shall provide procedures for approving the
36 prior training of officers, supervisors, and managers that meet the
37 standards and guidelines developed by the commission pursuant
38 to this section, in order to avoid duplicative training.

39 SEC. 6. Section 13519.12 of the Penal Code is amended to
40 read:

1 13519.12. (a) Pursuant to Section 13510, the Commission on
2 Peace Officer Standards and Training shall establish training
3 standards and develop a course of instruction that includes the
4 criteria for the curriculum content recommended by the Curriculum
5 Development Advisory Committee established pursuant to Section
6 8588.10 of the Government Code, involving the responsibilities
7 of first responders to terrorism incidents. The course of instruction
8 shall address the training needs of peace officers at a managerial
9 or supervisory level and below who are assigned to field duties.
10 The training shall be developed in consultation with the Department
11 of Justice and other individuals knowledgeable about terrorism
12 and address current theory, terminology, historical issues, and
13 procedures necessary to appropriately respond to and effectively
14 mitigate the effects of a terrorism incident, including, but not
15 limited to, appropriate tactical casualty care and coordination with
16 emergency medical services providers that respond to the incident.
17 *care.*

18 (b) The commission shall expedite the delivery of this training
19 to law enforcement through maximum use of its local and regional
20 delivery systems.

21 (c) To maximize the availability and delivery of training, the
22 commission shall develop a course of instruction to train trainers
23 and first responders dealing with terrorism incidents using a variety
24 of formats.

25 (d) Every police chief and sheriff, the Commissioner of the
26 Highway Patrol, and other general law enforcement agency
27 executives may determine the members of their agency to receive
28 the emergency response to terrorism incidents training developed
29 by the commission under this section. The persons to be trained
30 may include, but are not limited to, peace officers that perform
31 general law enforcement duties at a managerial or supervisory
32 level or below and are assigned to field duties.

33 (e) For purposes of this section, a “terrorism incident” includes,
34 but is not limited to, an active shooter incident. An “active shooter
35 incident” is an incident where an individual is actively engaged in
36 killing or attempting to kill ~~people in a confined area.~~ *people.*